

## Attachment A

### Declaration of Cynthia Borders

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Pursuant to 28 U.S.C. § 1746

I, Cynthia Borders, hereby declare and state as follows:

1. I am a U.S. citizen over the age of eighteen and reside in Covington, Georgia.

2. I have personal knowledge of the following facts, to which I could and would testify to if I were called to testify as a witness.

3. In around May 2020, I purchased my vehicle through U.S. Auto with a loan from U.S. Auto, and then I made my car payments twice a month.

4. I made regular twice-monthly payments to U.S. Auto by logging into the website on the due date. Even though I was not late, I would hear beeping in my car the week before payment was due. Each time I heard the beeping, I would call U.S. Auto and ask the representative to shut off the beeping. Sometimes the U.S. Auto representative told me that the beeping was a reminder or a warning that my next payment was almost due. The U.S. Auto representative would either give me an over-ride code or send a signal to my car that would turn the beeping off.

5. Because I made twice-monthly payments to U.S. Auto, I had to hear the beeping twice a month for over two years. I would make my payment, and then a week later there would be beeping, and then a week later I would make another payment. This cycle continued for years and the beeping gave me anxiety. The beeping was annoying to listen to and it was humiliating. The beeping was so loud that I often played my music at full volume to try and tune out the beeping. Sometimes the beeping would go off while I was driving and I found it distracting.

6. Between May 2020 and February 2022, I remember at least three instances when U.S. Auto disabled my car even though I was not late with my payment. Each time that happened, I went to drive my car and the car wouldn't start. One time, I was stuck in the parking lot of the grocery store and I called a friend to ask for a ride home. Another time, I was stuck at work and again got a ride home from a friend. When my car was disabled after U.S. Auto's customer services hours, I was stranded and could not call U.S. Auto until the morning to get the code to unlock the car. During one conversation with a U.S. Auto customer service representative, they told me to make the payment before the due date so that way the car won't disable on the due date. I told the

1 representative that I was allowed to make my payments on the due date and I should be able to  
2 drive my car until the payment is actually due. During another conversation with a U.S. Auto  
3 customer service representative, they told me that they didn't know why my car was disabled  
4 improperly and that I could bring my car into the mechanic to check the wiring. I asked the U.S.  
5 Auto representative if they could remove the device from my car so that it doesn't disable me  
6 improperly, and they said that no the device is put on all the cars.

7 7. I stopped going to the grocery store late at night or running any errands after 5pm  
8 because I didn't want to run the risk of being stranded somewhere if U.S. Auto improperly shut off  
9 my car again. I started only taking day shifts at work instead of night shifts because I was afraid of  
10 not being able to get home after work or get to work if my car was improperly disabled. I had  
11 anxiety that my car wouldn't start and I would be stuck in an unsafe situation. It was also humiliating  
12 for me to get rides from friends when my vehicle was improperly beeping or disabled.

13 8. It was frustrating and time consuming to have to call U.S. Auto so many times to get  
14 them to turn my car back on or turn the beeping off. It was disruptive to my life and my mental  
15 health to have my car improperly beeping and disabled multiple times.

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17 I declare under penalty of perjury that the foregoing is true and correct.

18 Executed on October 31, 2023.

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22 Cynthia Borders  
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